

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

RANDI HANDWERK, on behalf
of himself individually and all others
similarly situated, et al.,

Plaintiffs,

v.

ORDER

Civil File No. 21-351 (MJD/TNL)
and related cases: Civil File Nos. 21-404, 21-
433, 21-462, 21-475, 21-543, 21-639, 21-681,
21-685, 21-719, 21-970, 21-996

BAYER CROPSCIENCE LP, et al.,

Defendants.

Pending before the Court are twelve related antitrust cases against manufacturers, wholesalers, and retailers of crop inputs. The parties seek rulings on an omnibus case management order for coordinated proceedings, an anticipated omnibus motion to transfer venue, and multiple anticipated motions to dismiss. Similar cases are pending across the country, including in the District of Kansas and the Southern District of Illinois. On May 27, 2021, the Judicial Panel on Multidistrict Litigation will hear oral argument on a motion to create an

MDL and transfer all cases to the United States District Court for the Southern District of Illinois.

“The power to manage its docket and to stay proceedings is within the district court’s discretion.” Kellogg v. Watts Guerra, LLP, No. CV 18-1082 (DWF/BRT), 2018 WL 3432048, at *1 (D. Minn. July 16, 2018) (citation omitted).

It is appropriate to defer the resolution of certain pretrial matters until the Panel renders a decision with regard to whether a case should be transferred to the MDL court. Deference to the MDL court for resolution of these matters provides the opportunity for the uniformity, consistency, and predictability in litigation that underlies the multidistrict litigation system.

Calder v. A.O. Smith Corp., No. CIV.04-1481 JRT/AJB, 2004 WL 1469370, at *1 (D. Minn. June 1, 2004) (citations omitted).

The Court concludes that a short stay is warranted. In the absence of a stay, judicial and party resources will be expended on multiple motions that, according to the parties, will require extensive briefing. Similar issues and motions have arisen in related cases in other districts. For example, oral argument on a motion to transfer venue is set for May 13 in the Southern District of Illinois. Thus, the danger of inconsistent pretrial rulings is high. The Court concludes that there is little prejudice to the parties from a short stay. The

JPML's decision is imminent and a short delay will save significant resources for the parties and the Court and avoid inconsistent rulings.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**
HEREBY ORDERED:

All proceedings and deadlines in the above-captioned cases are **STAYED** until ten days after the Judicial Panel on Multidistrict Litigation determines whether to transfer these actions to an MDL proceeding and completes any transfer of the action pursuant to 28 U.S.C. § 1407. See In re Crop Inputs Antitrust Litig., MDL No. 2993.

Dated: May 5, 2021

s/Michael J. Davis

Michael J. Davis

United States District Court